

FCC MAIL SECTION

Before the
Federal Communications Commission
Washington, D.C. 20554

DEC 16 9 10 AM '03

DISPATCHED

In the Matter of)

)

Amendment of Section 73.202(b),)

FM Table of Allotments,)

FM Broadcast Stations.)

(Rocksprings, Texas))

MM Docket No. 02-252

RM-10316

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 12, 2003

Released: December 16, 2003

By the Assistant Chief, Audio Division:

1. The Audio Division has before it a *Notice of Proposed Rule Making*¹, issued at the request of Katherine Pyeatt ("Petitioner"), requesting the allotment of Channel 263A at Rocksprings, Texas. Petitioner filed comments in support of the proposal reaffirming her intention to apply for the channel, if allotted. On November 25, 2003, Petitioner filed a request for dismissal of her petition.² No other comments were received.

2. A showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an expression of interest. Therefore, we will grant Petitioner's request to dismiss the instant proposal.

3. Accordingly, IT IS ORDERED, That the petition for rule making filed by Katherine Pyeatt IS DISMISSED.

4. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

5. For further information concerning this proceeding, contact Deborah A. Dupont, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

¹ *Las Animas, Colorado, Muleshoe, Texas, Rocksprings, Texas, Rankin, Texas, and Big Lake Texas*, 17 FCC Rcd 16,220 (M.Bur. 2002).

² Petitioner states that she has not nor will not receive, either directly or indirectly, any money or other consideration in connection with the dismissal of the petition. This statement satisfies the requirements of Section 1.420(j) of the Commission's Rules, 47 C.F.R. § 1.420(j).